THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.26332 OF 2005

Dt.20.12.2005

Between:

P.Mariyamma … Petitioner

And

The Collector, Chittoor, Chittoor District

And another. … Respondents

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Civil Supplies.

The petitioner submits that she was appointed as fair price shop dealer of Chillamakulapalli Village, S.R.Puram Mandal, Chittoor District and she has been supplying essential commodities to the card holders without any complaints whatsoever. It is stated that the respondents are going to bifurcate the said fair price shop and making an attempt to establish another fair price shop contrary to the guidelines and therefore the petitioner along with others belonging to Vaddipalem village filed a representation on 18.5.2005 to the first respondent through the 2nd respondent and in fact the 2nd respondent made an endorsement directing the M.R.O., to enquire and take appropriate action. But without considering the said representation, the respondents are going to bifurcate the fair price shop of the petitioner.

I am of the opinion that the writ petition filed by the petitioner is only on the apprehension and even before passing any orders the petitioner has invoked the extraordinary jurisdiction of this Court. If any fair price shop is bifurcated contrary to the existing rules and guidelines, it is always open for the petitioner or other cardholders to question the same. In the absence of any specific violation by the respondents, no writ of mandamus can be issued.

The writ petition is dismissed with the aforesaid observation. No costs.

(V.ESWARAIAH, J.)

20.12.2005

kpr